

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JAMES M. FITZPATRICK,

Plaintiff,

-against-

EXPERIAN INFORMATION SOLUTIONS
INC.; TRANSUNION LLC; EQUIFAX
INFORMATION SERVICES LLC;
PORTFOLIO RECOVERY ASSOCIATES,
LLC; NEWREZ, LLC; AMERICAN
EXPRESS BANK, N.A.; JP MORGAN
CHASE BANK, N.A.; WELLS FARGO
BANK, N.A.; COMMUNITY BANK, N.A.;
and CITIBANK, N.A.,

Defendants.

ORDER

23 Civ. 4261 (PGG)

PAUL G. GARDEPHE, United States District Judge:

Plaintiff, who is proceeding pro se, paid the filing fees to commence this action.

The Clerk of Court is directed to issue summonses as to Defendants Transunion LLC; Equifax Information Services LLC; Portfolio Recovery Associates, LLC; American Express Bank, N.A.; JP Morgan Chase Bank, N.A.; and Community Bank, N.A. Defendants Experian Information Solutions Inc.; Citibank, N.A.; NewRez, LLC; and WELLS FARGO BANK, N.A. have waived service. (Dkt. Nos. 4-5, 7-8)


Plaintiff is directed to serve the summons and complaint on each Defendant within 90 days of the issuance of the summonses.¹

¹ Although Rule 4(m) of the Federal Rules of Civil Procedure generally requires that a summons be served within 90 days of the date the complaint is filed, the summons in this case was not issued when Plaintiff filed the complaint because he had not paid the filing fee. The Court therefore extends the time to serve until 90 days after the date the summons is issued.

If within those 90 days, Plaintiff has not either served Defendants or requested an extension of time to do so, the Court may dismiss the claims against Defendants under Rules 4 and 41 of the Federal Rules of Civil Procedure for failure to prosecute.

Dated: New York, New York
June 16, 2023

SO ORDERED.

A handwritten signature in black ink, reading "Paul G. Gardephe", written in a cursive style.

Paul G. Gardephe
United States District Judge